IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

PLUMBERS LOCAL UNION NO. 16) CASE NO. 8:08CV458
HEALTH AND WELFARE FUND,)
PLUMBERS LOCAL UNION NO. 16)
PENSION FUND, PLUMBERS LOCAL)
UNION NO. 16 JOURNEYMEN AND) ORDER
APPRENTICESHIP TRAINING FUND,)
and PLUMBERS LOCAL UNION NO.)
16 VACATION FUND, BY THEIR)
TRUSTEES,)
)
Plaintiffs,)
)
V.)
)
J. W. GREENWOOD PLUMBING, INC.,)
)
Defendant	1

This matter is before the Court on the Suggestion of Bankruptcy filed on December 30, 2008 (Filing No. 11). The Suggestion of Bankruptcy appears to have been filed in response to the Court's December 16, 2008 Order (Filing No. 9). The caption has been modified to identify the correct Defendant, J.W. Greenwood Plumbing, Inc., but the Suggestion of Bankruptcy still purports to be filed on behalf of "the Defendant, Joseph William Greenwood, Jr." by the attorney for Mr. Greenwood, Erin M. McCartney. As I noted in my previous Order (Filing No. 9), Joseph William Greenwood, Jr., is not a defendant in the matter before this Court. The Suggestion of Bankruptcy filed in this matter makes reference only to the Chapter 7 Bankruptcy Petition of Joseph William Greenwood, Jr., who is not the named defendant. The Court will not construe the Suggestion of Bankruptcy (Filing No. 11) as notification of bankruptcy proceedings with respect to the Defendant,

J.W. Greenwood Plumbing, Inc.,¹ and as such the Court shall direct the Clerk of the Court to strike the filing. Accordingly,

IT IS ORDERED:

- The Clerk of the Court shall strike the Suggestion of Bankruptcy (Filing No.
 11); and
- The Clerk of the Court is directed to mail a copy of this order to the named
 Defendant at the address listed on the summons, and to Attorney Erin M.
 McCartney, counsel for Joseph William Greenwood.

DATED this 6th day of January, 2009.

BY THE COURT:

s/Laurie Smith Camp United States District Judge

¹The Court has confirmed through the PACER Service Center, http://pacer.psc.uscourts.gov, that Joseph William Greenwood, Jr., as an individual, filed a Voluntary Petition for Bankruptcy under Chapter 7 of the Bankruptcy Code on December 4, 2008, in the Bankruptcy Court for the District of Nebraska, Case No. 08-83129. Mr. Greenwood appears to include the debts and assets of J.W. Greenwood Plumbing, Inc. in his Chapter 7 Bankruptcy Petition. However, the corporate defendant does not appear to be a debtor in a pending bankruptcy case.